IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE C.Y.SOMAYAJULU

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WRIT PETITION NO : 23194 of 1996

Between:

M/s Haabia Advertising (India) Pvt. Ltd.,

a registered Company having their regd.

Office at Haabia Hiouse, Seethammapeta,

Visakhapatnam, rep. by its Managing Director

Sri N.Venkata Ratnam, son of Janardhan Rao,

..... PETITIONER

AND

1. State of Andhra Psradesh, represented by
   Superintendent Engineer (R & B),

National High Way No. 5 Division,

Visakhapatnam - 530 018.

2. Gurudwara Sadh Sangath, rep. by its President,
   Seethammadhara, Visakhapatnam - 530 013.

...RESPONDENTS

* * * *

ORDER:

Alleging that respondents are trying to remove or demolish eight hoardings put up by it at Gurudwara Sadh Sangat, Seethammadara, Visakhapatnam, petitioner filed this petition seeking a direction to the respondents to refrain from such removal or demolition.

2. In the counter-affidavit filed on behalf of the first respondent it is alleged that petitioner encroached the road margin and erected hoardings on a national high way unauthorisedly and so after issuing a show cause notice as to why those hoardings should not be removed, only were those hoardings removed, as no objections were received from the petitioner and that the petitioner who is an encroacher, is not entitled to any relief.

3. Since the counter-affidavit filed on behalf of the respondents shows that eight hoardings were already removed, and since C.C.No.1403 of 1996 filed by the petitioner to punish the respondents for the alleged violation of the interim order obtained by it was also dismissed on 27.11.1997, petitioner, who is said to be an encroacher, cannot be granted any relief.

4. Hence, the writ petition is dismissed. No costs.

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C.Y.SOMAYAJULU, J.

Date: 27th October 2005.

BSB